

**MINUTES OF THE  
CITY OF SANTA FE  
PUBLIC WORKS/CIP & LAND USE COMMITTEE  
Monday, February 24, 2003**

**1. CALL TO ORDER**

A meeting of the Public Works/CIP & Land Use Committee was called to order by Chair Karen Heldmeyer at 5:15 p.m., on February 24, 2003, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

**1. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Karen Heldmeyer, Chair  
Councilor Patti J. Bushee  
Councilor Miguel M. Chavez  
Councilor David Pfeffer

**MEMBERS EXCUSED:**

Councilor David Coss

**OTHER GOVERNING BODY MEMBERS ATTENDING:**

Mayor Larry Delgado

**OTHERS ATTENDING:**

Mike Lujan, Director of Public Works  
Therese Prada, Public Works Department  
Robert Romero, City Engineer  
Joseph Abeyta, Project Manager, Water Budget Office  
Tom Williams, Transit Director  
Wade Havens, Assistant Transit Director  
Richard Mares, Interim Director SWM Division  
Cyrus Samii, Planning & Land Use  
Gilbert Sandoval, Director Property Control Division  
Marian Shirin, Senior Planner  
Melessia Helberg, Stenographer

**1. APPROVAL OF AGENDA**

MOTION: It was moved by Councilor Chavez, seconded by Councilor Pfeffer, that the Agenda be approved as published.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

1. **APPROVAL OF MINUTES, FEBRUARY 10, 2003 MEETING**

The following corrections were made to the minutes:

On pages Page 19, 20 and 21, under the VOTE, change as follows:

“Those voting aye: Councilor Bushee  
Councilor Chavez  
~~Councilor Pfeffer~~  
Councilor Coss  
Those voting nay: None  
Those abstaining: Councilor Pfeffer”

Councilor Pfeffer referred to language on Page 19, Paragraph 3:

“Councilor Pfeffer asked if there is any data that indicates that there is an impact on the availability of mid-priced units. Ms. Hall said we are in the early days of HOP, but she will try to get this data. She said there is a big increase in Type A applications.”

Councilor Pfeffer asked there is any information in this regard, to which there was no staff+ response. He asked if this information will be available by the Wednesday council meeting. Councilor Pfeffer clarified that he is asking if there is a discernable impact of the whole HOP program on the middle range of housing prices. Mr. Lujan said he will obtain this information and provide it to Councilor Pfeffer.

MOTION: It was moved by Councilor Bushee, seconded by Councilor Chavez, that the minutes of the February 10, 2003, Public Works Committee Meeting be approved as corrected.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

1. **APPROVAL OF CONSENT AGENDA**

There were no items on the consent agenda.

**INFORMATIONAL AGENDA**

1. **UPDATE ON TRANSIT FARE INCREASE (WADE HAVENS, JON BULTHUIS)**

Memorandum dated February 18, 2003, with attachments, to the Public Works Committee, from Wade Havens, Assistant Transit Director, and Jon Bulthuis, Planning Supervisor, is incorporated herewith to these minutes as Exhibit "1."

Mr. Haven reviewed the staff report. He said the Council has asked staff, prior to implementing the second half of the fare increase, to report on the effect of the first phase on ridership and revenue. Mr. Havens said there is information on the first phase in the Committee packets.

Chair Heldmeyer understood this evening's report would be an interim report and that there would be a more comprehensive report within a few weeks. Mr. Havens said he understood there was to be a report to the Council prior to implementing the second phase of the fare increase. So staff would be going through the Committees to the Council and this evening is the first step in that report.

Chair Heldmeyer said Mr. McQuarie has questions to be raised, and she told him he could ask those questions and that the questions would be answered as this goes through the process.

**Dave McQuarie**, Chair of the Mayor's Committee on Concerns of People with Disabilities, made the following remarks to the Committee:

*Last fall it was proposed and approved for a two-part fare increase for Santa Fe Trails bus system. At that time, speaking on behalf of the disabled community, the proposed two-phase fare increase was endorsed on the condition that there would be improvement to accessibility at bus stops, as per A.D.A. standards. As new bus stops with restricted accessibility have been installed in the interim; therefore any support by the disabled community for the second phase of fare increase is withdrawn.*

Chair Heldmeyer asked for a list of those bus stops which are not accessible. Mr. McQuarie said the two that he knows about are on Agua Fria just west of Kathryn, and on Cerrillos Road across from Whole Foods. He brought this to the attention of transit.

Mr. Williams said staff is committed to do a complete A.D.A. assessment of all bus stops over the next year, beginning in the next fiscal year.

Councilor Pfeffer said it seems appalling that a public bus stop would not meet A.D.A. standards from the "get-go." Mr. Haven said the new stop on Kathryn meets A.D.A. requirements around the shelter, but there is a fire hydrant on the sidewalk which is too close.

Councilor Pfeffer asked about the possibility of moving the stop a few feet. Mr. Havens

said it is a matter of moving it a few feet.

Councilor Pfeffer asked about the bus stop on Cerrillos. Mr. Havens said this is an Arts projects, and he said no one was aware that it wasn't ADA accessible until Mr. McQuarie brought the issue to Transit. Chair Heldmeyer pointed out that this stop was installed about two years ago.

Councilor Chavez said the stop on Kathryn seemed to be okay. Mr. Haven said Mr. McQuarie said there is a fire hydrant which blocks wheelchair accessibility at that stop. He said staff is working to resolve this problem. Councilor Chavez said that bus stop can't be moved too much in either direction because that street is short.

Chair Heldmeyer asked whose responsibility it is to ensure that the bus stops are ADA compatible. Mr. Havens understood CIP actually installed the bus stop, but the artist that designed and put the stop in, lives around the corner from the bus stop. The artist wanted this bus stop on his corner.

Mr. Lujan said there is a process in the CIP and Engineering Division where the city ADA coordinator will review any plan for any CIP project. He will examine this project and get the details. Chair Heldmeyer said a commitment was made to look at these issues. She asked Mr. Lujan to report back at the next Committee meeting.

Councilor Bushee said she is concerned about bus stops where there is no place to sit, and asked what can be done to change some of those.

Mr. Williams said the assessment will look at bus stops which are found to be non-compliant, and what the costs to bring those bus stops to ADA standards. He said staff is also looking at the Federal Transit Administration Guidelines on bus stop accessibility which also will be included in the report.

Chair Heldmeyer said Councilor Bushee was asking more about availability of bus stops. When we raised the fares, we discussed that we would make a commitment to install more bus stops. Mr. Williams said there was a commitment to place more protected shelters and benches, and staff is working to reorganize its existing capital funds to purchase additional shelters, and to establish a policy on placement of shelters so there is a uniform approach to the next phase of improvement of passenger amenities which will include the accessibility issue.

Councilor Bushee asked if there are available federal funds to pay for the improvements. Mr. Williams said there is an old fund which has \$55,000 to \$60,000 which staff is proposing to use to purchase and place some shelters.

Chair Heldmeyer asked when the policy on shelters will be available for review by this

Committee. Mr. Williams said it is hoped to bring it through the process in two months. Mr. Lujan said this policy has been reviewed by the Transit Advisory Board. Mr. Williams said it has also been reviewed by the ADA subcommittee of the TAB.

Councilor Bushee asked if anyone from the Mayor's Committee is also a member on the TAB Board. Mr. Williams said there are two disabled persons are on TAB, neither of which serve on the Mayor's Commission, but do represent the disabled community.

Responding to Councilor Bushee, Mr. Williams said Jody has been attending the ADA subcommittee meetings. Chair Bushee suggested that Jody participate in the report on accessibility and availability issues. Mr. Williams said, "Absolutely." Councilor Bushee reiterated pursuing federal funds for this project.

Councilor Bushee said there seems to be a problem in the public with regard to the bus system schedule and connections and such. Mr. Williams said Ms. Bond is working on the approved marketing plan and there will be more efforts over the next few months. Councilor Bushee asked if there is an attempt to have laminated or weatherproof schedules at or near the stops. Mr. Williams said there are in several places. Ms. Bond is working to get that up at more stops. Staff will be presenting a request to approve an advertising company contract to put up more signs with route information.

Councilor Bushee understood one person was hired to do the promotion and marketing. Mr. Lujan said Ms. Prada filled this position at one time, and another individual is filling that position currently and working directly with Joyce Bond. He said he and the City Manager believed that the two could manage that function. Councilor Bushee said then there are two people dedicated to that, and yet we have an outside contract.

Mr. Williams said the purpose of the contract is to sell advertising on buses and other street amenities. Councilor Bushee recalled the bad experience in selling advertising on the benches. Mr. Williams said there was some loss of funds on that effort which was undertaken prior to his coming here. However, the new RFP is being designed to safeguard the City's interest and assured the Committee that this will be a public process.

Councilor Bushee is glad the Arts Commission has turned its focus to fund some of the shelters and benches along the bus routes.

Councilor Pfeffer the revenue shortfall during the fare increase is attributed to the result of holding steady on the \$10 monthly pass He asked if this body needs to take any kind of formal action in this regard. Mr. Havens said staff would like to go forward with the Phase 2 implementation which would put the fare structure back in balance.

Councilor Pfeffer said then the City is unable to pay for the changes in services. Mr.

Havens said there will be a shortfall of about \$20,000 if we go forward with the second half, and ultimately there will be no shortfall. The revenues were based on the presumption that the second phase of the fare increase would be implemented. He said there will be a \$70,000 shortfall if the second half of the fare increase is not implemented.

Chair Heldmeyer asked if the second half fare increase will go into effect if the Council does nothing, or does the Council need to take action to implement the second half.

Mr. Havens said the minutes of the Council meeting where the fare increase was implemented provide that staff needs to report back to the Council, prior to implementing Phase 2, with regard to the effects of the increase on the ridership and revenues. Originally, it was planned to implement Phase 2 on March 3<sup>rd</sup>, but now that will be March 31<sup>st</sup> in order to send out adequate notices to the public and the ridership. This goes to Finance Committee next week and to the City Council on March 12<sup>th</sup>.

Chair Heldmeyer asked Mr. Williams to return to this Committee in two weeks with a report on the two artistic bus stops with regard to handicapped accessibility.

**1. UPDATE ON RETROFIT INSTALLATION IN ALL CITY FACILITIES.  
(GILBERT SANDOVAL)**

Memorandum dated February 18, 2003, from Gilbert Sandoval, Director, Property Control Division,, to the Public Works Committee, is incorporated herewith to these minutes as Exhibit "2"

Mr. Sandoval said all City buildings have been retrofitted with the exception of the Main Library basement and second floor. This is because the bolt pattern for the toilets which were ordered did not fit and staff has been unable to find toilets which fit. Therefore, there will be minor demolition to reinstall the current toilets, and hopefully to replace those by mid-March. The Airport retrofit is being done through the renovation scheduled this summer.

Mayor Delgado asked how many toilets there are in all of the City buildings. Mr. Sandoval said there are 65 buildings, and approximately 96% of those have been retrofitted, although he doesn't have a specific number. He said staff is also looking at retrofitting with tamper-proof aerators, because these are being stolen at Ft. Marcy and Salvador Perez Parks.

Councilor Chavez would like to know how many individual units have been replaced in all City buildings.

Councilor Chavez asked who is responsible for tracking the water use so we can know

how much we are saving through the retrofit program. Ms. Martinez said staff, through the Water Wise Program, flagged all those accounts which participated in the retrofit program in the billing system, so we can run a year-to-date report and compare data to whatever information was available in the past billing system. Ms. Martinez said this can be done on residential and commercial, but not on the City buildings, although these can be flagged for future reporting. Councilor Chavez would like this done.

Councilor Bushee mentioned that she was in the City Hall recently in Jim Varela's office, and the water sprinklers were hitting his windows. She said water can be wasted by errant sprinklers, and we need to take care of these kinds of things.

Councilor Pfeffer congratulated the Rotary Club and former Councilor Ouida MacGregor for their "Path of Painted Potties" project, although he doesn't know who will buy them.

## **1. UPDATE ON PERMITS ISSUED SINCE RETROFIT LAW WAS PASSED (JOSEPH ABEYTA)**

Memorandum dated February 19, 2003, to the Public Works Committee from Joe Abeyta, Project Manager, Water Budget Administrative Office, is incorporated herewith to these minutes as Exhibit "3."

Mr. Abeyta made a correction to a verbal answer he gave to Question (b) of his memorandum. He said at this time fifteen single family, residential building permits have been completed, which has resulted in the retrofitting of 140 toilets and a water offset savings of approximately 3.5 afy. Three commercial projects have been completed with 33 toilets with a water offset savings of approximately .825 afy.

Councilor Chavez asked how many single family, Type A units are in the mix. Mr. Abeyta said there have been two at this time. Councilor Chavez said most of the Type A will eventually be exempt from the retrofit program.

Responding to Councilor Chavez, Mr. Abeyta said the two Type A applications were done through using the water offset savings produced by the water wise toilets. Councilor Chavez suggested that this would be a category which should be flagged for tracking.

Councilor Chavez asked if the completed permits also received a water meter, and if there is a disparity between the building permits and the number of water meters that would be installed. Mr. Abeyta sees no discrepancy at this time, although he can do further research to obtain this information. Councilor Chavez would like this information.

Councilor Chavez asked about "other." Mr. Abeyta said this includes portals, walls and

things that would not require water and are not part of the main structure.

Chair Heldmeyer said Item c discusses building permits issued, and in d provides that none of those were required to retrofit. She presumes that even though a building permit was issued that all of them did not have a hookup to the water events. She thought either of these events would trigger a retrofit requirement, and asked why none were required to retrofit.

Mr. Abeyta said he understood that the building permits between March 1<sup>st</sup> and September 11<sup>th</sup> did have a permit and a water service agreement and were not required to retrofit. He can do further study to find out how many of the building permits were required to retrofit and which did not have a water service agreement. Chair Heldmeyer said she would like this information and will place Mr. Abeyta first on the agenda.

# **1. AUTOMATED REFUSE COLLECTION UPDATE, SOLID WASTE MANAGEMENT DIVISION (RICHARD MARES)**

Memorandum dated February 24, 2003, to the Public Works Committee, from Mike P. Lujan, Director Public Works Department, and Richard Mares, Interim Director SWM Division, regarding Automated Refuse Collection Update, is incorporated herewith to these minutes as Exhibit "4."

Mr. Mares said there are two routes which currently are on the automated refuse collection program on Thursday and Friday of each week – on Thursday between Galisteo and Camino Carlos Rey serving approximately 700 households, and on Friday between Rodeo Road and Pueblos del Sol Subdivision serving another 700 households.

Mr. Mares said it is planned to implement 3 additional routes with automated refuse collection service the week of March 17, 2003. Once implemented, the City will service one route per day with automated service collection. The new routes will be done Monday through Wednesday – Monday and will serve an additional 2,400 to 3,000 households.

Mayor Delgado asked, in addition to demonstration meetings and the door hangers, if staff is getting this information to the radio station. He said it will make everything much easier if people know how to place the containers. Mr. Mares said the demonstration meetings have been advertised in the local newspaper, staff has been on a talk show sponsored by Santa Fe Beautiful, and flyers announcing the meetings have been distributed. Mayor Delgado asked if he has been on KSWE. Mr. Mares said advertising was purchased on that radio station.

Mr. Lujan said as the carts are distributed, instructions will be delivered with each cart delivered. He said the carts will be delivered to the customers in the two weeks between March 3<sup>rd</sup> and 14<sup>th</sup>. It is staff intention to make this as easy as possible for everyone.

Councilor Bushee lives in the neighborhood adjacent to Casa Solana and presumes that



neighborhood won't have automated delivery. Mr. Lujan said those particular stretches aren't covered. He said those streets need to be reviewed as to what kinds of equipment will fit there.

Councilor Bushee expressed concern about automated pickup on Bishops Lodge and Old Taos Highway. Mr. Lujan said staff was sent out to evaluate where this service could be most easily provided.

Councilor Bushee asked if there is one container per household. Mr. Lujan said this is correct, however the number of carts and size of carts which are needed is a subject for future discussion.

Councilor Bushee asked how this system works with a "pay as you throw" system. Mr. Lujan said this could be the basis to move in that direction and is similar to a volume-based approach, but an analysis needs to be done before considering a full, city-wide effort.

Councilor Bushee asked how many small kitchen garbage bags will fit into the containers. Mr. Lujan said customers can get the City-issued large garbage bags and the containers will hold 3 of those, and probably 6 small garbage bags.

Mr. Lujan said the response has been positive from the residents.

Councilor Chavez asked about small households which don't generate as much solid waste, and if those households could alternate pickups. Mr. Lujan said this can be done, and there will be some flexibility in size. He said some neighbors utilize each others containers.

Chair Heldmeyer said the most asked question is about pickup the week after Christmas or other times when there is more trash than usual, and what arrangements need to be made by the customer. Mr. Mares said currently the route driver will radio this in, and staff will send a crew out to pick up the excess.

Responding to the Mayor, Mr. Mares said residents still can call for a large item pickup at \$15 per service visit. He said the recycling pickup will still be done every other week. He said staff works with the elderly or the handicapped who are unable to wheel-out the carts.

Chair Heldmeyer said Mr. Mares has done a good job of advertising the demonstration meetings in the newspaper.

## **1. REQUEST APPROVAL OF A RESOLUTION AFFIRMING THE CITY OF**

**SANTA FE'S GOVERNING BODY'S SUPPORT FOR THE TRUST FOR PUBLIC LAND IN ITS EFFORTS TO FACILITATE THE PLANNING, DESIGN AND DEVELOPMENT OF A NEW PARK AND NEW PLAZA ON THE SANTA FE RAILYARD; APPROVING THE PRELIMINARY CONCEPTUAL PLAN FOR THE PARK AND PLAZA; AND AFFIRMING SUPPORT FOR THE TRUST FOR PUBLIC LAND'S EFFORTS TO OBTAIN FUNDING FROM THE UNITED STATES GOVERNMENT. (COUNCILOR COSS) (CYRUS SAMII)  
(THIS IS A PUBLIC HEARING)**

Proposed Resolution of support is incorporated herewith to these minutes as Exhibit "5." Briefing Packet for City Council, Santa Fe, New Mexico, Requesting Review and Approval of the Conceptual Plan for the Santa Fe Railyard Park and Plaza, dated February 4, 3002, is incorporated herewith to these minutes as Exhibit "5(A)."

City of Santa Fe Fiscal Impact Report No. 787, is incorporated herewith to these minutes as Exhibit "5(B)."

Chair Heldmeyer said this request is for approval of a Resolution supporting TPL in developing a new park and plaza on the Railyard, including the approval of a preliminary conceptual plan and affirming support for TPL's efforts to obtain funding from the feds.

Mayor Delgado said Councilor Coss was unable to be in attendance to speak in favor of this resolution. Mayor Delegado said TPL is running into a situation where there needs to be some indication that the City of Santa is truly behind this plan and wants to see it move forward. He said everyone in the City is very anxious about getting something moving at the Railyard. He said this will be a major step in moving forward. Mayor Delgado is in attendance to support this Resolution and moving it forward to the City Council.

Councilor Bushee indicated that she will be a co-sponsor of the Resolution, pointing out that this is for preliminary, conceptual approval of the Plan. She said we need to send a positive message.

**Brian Drypolcher**, of the Trust for Public Lands, is the Program Manager. He said the conceptual plan is being brought forward for consideration, and this Committee will serve as a checkpoint to move forward to the next phase of design and to the next phases of their efforts. He said we now need to move from conceptual design, to schematic design, design development and ultimately to the construction documents to build-out the 13.5 acre public space development project. The designing and engineering fees for this work are significant.

Mr. Drypolcher said before TPL can do the fundraising, and make the investment to engage the design team to go to the next phase, this checkpoint is needed to say that this process

is on track and we should proceed. The other reason is to get input from the public.

Mr. Drypolcher gave a brief overview of the process to date, including the response to the City RFP. The TPL agreed to take on planning, design and development, although it would not assume management for the property after the public spaces were developed. The proposal was approved and accepted by the City Council. The agreement is that the City will assume management of the public spaces once developed. The balance of the 50 acres is managed by the Railyard Community Non-Profit Corporation.

Mr. Drypolcher said TPL is working with private organizations and others to find an ongoing funding stream to help supplement the managerial and stewardship costs of the public spaces. The TPL has a professional services agreement with the City to do the planning, design and development work, but noted that TPL is receiving no fees or compensation for this work.

Mr. Drypolcher said TPL looked around the country at other cities, and cities outside the U.S., to see what is happening in those cities. One of the key reference points was The Project for Public Spaces which is a national non-profit organization which works all over the country. This organization has, for 30 years, looked at what makes a successful public place in a City. There are four guiding principals: (1) a mix of uses and activities; (2) access -- transit and linking with other trails; (3) comfort and image -- looks, feels and is safe, attractive and a place where people want to be; and (4) sociability -- a meeting place.

Mr. Drypolcher said the plan hit on other aspirations which were specific elements from the community plan -- themes within the public spaces: (1) Cultural gardens, community gardens and drought-tolerant plantings; (2) Natural areas where native plants can survive; (3) programmable spaces -- terraced and more open spaces where there can be community celebrations and other activities; (4) Look at the water harvesting opportunities for collection and storage, with a distribution system to bring water to the park site. There is also the possibility of building a constructed aquifer -- filling an excavated space with porous materials to create an underground reservoir on the property.

Mr. Drypolcher said the plaza area is seen as a place where culture meets community meets commerce -- surrounded by new restaurants, new retail and hopefully a new theater complex -- another place for community interactions. An important addition in the area will be the new Farmers Market, and the outdoor market.

Mr. Drypolcher said there has been public input leading into the development of TPL's proposal, and the acceptance of that proposal. He said there were very challenging elements that came from this process. He hopes that good public input comes from the public hearing this evening.

Mr. Drypolcher said the design team will be working with key community groups, neighborhood groups, stakeholders and tenants on the project, the Railyard Corp. He

emphasized that this evening is not the last opportunity for input.

### **Public Hearing**

Chair Heldmeyer gave each person 2 minutes to speak to the issue.

**Chris Wells**, Director of the All Species Project, which has been exploring bi-regionally urgent themes in New Mexico for 23 years. The Project has produced in the proposed park, a permaculture design course for Warehouse 21 and the Youth Conservation Corps. They also held Santa Fe's 14<sup>th</sup> All Species Day on the Railyard in 2002, working with the theme to design an ecologically sensible park of the future. Mr. Wells said although there is concern about the lack of water, Santa Fe cannot afford not to build this park because it needs the water cachement. The City needs to show its citizens working, evolving examples of multiple water use and this could be a participatory educational model. He said there are three points: The focus of the needs to be a complex, water cachement park; the park is an educational keystone of the watershed restoration program; and there is a need for more local people to be involved in the process. He says the team that won this is one of the two teams which will be considered for the World Trade Center and live in New York. We need local input from Santa Fe people.

**Laura Wilson**, 1107 Don Cubero, is a retired landscape architect. She spent one year with the TPL and Park Advisory Board on the development of the guidelines for the design of the park. Previously, she spent two years with the Friends of the Park. She urged that the Committee not approve the proposed design because it doesn't work with the guidelines as expressed by Mr. Drypolcher. She said if TPL wants to go forward, it needs to work with the community and come up with a design that works with all of these things. Ms. Wilson brought a copy of Landscape Architecture magazine of June 2002, about the process of competition design and for one project there was a guideline requirement to generate ideas and innovative designs to meet the needs of the city's communities and respond to the natural and constructive sites. There was citizen involvement in that process. The gist was that it is a national environmental crisis in design that we are getting this type of design out of competitions.

**Steve Allen** lives behind the Budget Inn and Whole Foods where there is a small one-acre City Park – Martinez Park. He said he has first-hand experience about how people use City parks, particularly in the summer, to do things such as drug deals across from his house. He asked if there is a security element in this plan where there might be a police substation, for example. He would like consideration given to prohibiting or regulating electronic amplification. He doesn't support charcoal grills and outdoor cooking. He said his experience is that many people who use the park don't care about the park or about adjoining residences, and there needs to be a security, police presence in the proposed park.

Chair Heldmeyer asked Mr. Allen to leave contact information with Therese who can ask the police to look at the current problems in the current park.

**Eric Gent** expressed appreciation with the traffic calming in the neighborhood which has improved the quality of life. He complimented the facilities at Genoveva Chavez. He said there will be a LaCrosse Tournament at the MRC with 60 teams from around the continent. He said the City has spent a lot of money on the Railyard. He encouraged moving forward with the TPL proposal.

**Maria Simbaña** is with the Santa Fe Farmers Market and manages the project for the permanent site for the Farmer's Market and said she is committed to the process of planning, and is glad to be included as an active participant in the planning process. They are encouraged with the leadership of the TPL, the Santa Fe Railyard Community Corporation and the City of Santa Fe in moving this project forward. She said there will be safer and more convenient amenities for customers, and more accessible to the customers and farmers. She believes this project will create a center for community. She asked support of the Resolution.

**Bob Saar**, #4 La Tusa, appeared on behalf of Santa Fe Southern Railway. He doesn't consider himself to be an expert, commenting that when he finds Laura Wilson worrying about something he usually worries about it as well. He urged that her concerns be carefully heard. The TPL has been involved with the Railroad and the integration of the park, plaza, Alameda and Railyard for some time and he feels quite comfortable with that. He said the people at TPL are trying to integrate the rail service into the Alameda and the Plaza. He asked support in moving forward on the project.

**Suby Bowden** appeared to express enthusiastic support of the Resolution and the TPL. She said during the past six months TPL has met with every group imaginable, and has developed an incredibly long list of things which need to be adapted, fine-tuned and massaged in the project. She believes more permaculturists will be involved, more artists will be telling their stories through the park and that the park will become better and better. She said TPL is very concerned about what the community wants to happen on this property, otherwise it would have brought the plan before the Committee during the first month. She pointed out the hard economic times right now. She said the enthusiastic support of the Council will mean that there will be \$1 million from the Legislature for this project, and that will enable TPL to raise the funds for this park. She said more than 40 people were interviewed by an independent, fundraising analyst for the Railyard's park. Of those, 39 indicated they would enthusiastically support this park, and believe this an important project in spite of their nervousness about the war with Iraq and their stocks. They want to know that the City enthusiastically supports this project and helps it to move forward. She urged that this Committee do so this evening.

**Anna Gallegos-Reinhardt** is the Executive Director of Warehouse 21, which is a long time Railyard resident as a teen arts and cultural center. Warehouse 21 plans to continue to be a

long time resident of the Railyard, and is honored to have worked with the other organizations on the Railyard. She said there is much planning occurring on the Railyard. She said Warehouse 21 plans to have a relationship with the park with many of its programs, whether community service or programming. She supports the park and the plan, and the work of TPL. She urged approval of the Resolution.

**Gayla Bechtel** worked to get the community plan passed, and helped TPL do the design competition. She has been approached by the winning design team to assist with the public planning process. She stressed that this only a conceptual plan, and that there will be another public process with these designers. She believes the design is exciting and that the process will continue.

**Don Bustos** of the Santa Fe Farmer's Market supports passage of the Resolution. He has known Brian Drypolcher and has worked closely with him for the past 2-3 years, and he doesn't believe there are any hidden agendas. He said he has known Brian and TPL to be open with the process and to bring everyone's input into the process and negotiate what is best for the community.

**Tom Romero**, with El Museo Cultural, spoke in favor of the Resolution. El Museo Cultural has been part of the process for the past 5 years supporting the community effort and participating at every level. He believes the park is important to the success of the Railyard entities. He said the process has been strong and there is no reason to begin again with something new. He said the Railyard community is beginning to participate in all of the activities that are occurring and are in favor of the continued development of the project.

**Andrew Beckerman**, is a member of the New Mexico Advisory Council for the TPL and a member of the Trust Competition Committee. He encourages support of this project. He cited the cooperative efforts between the City and TPL. He said this project is a model of public participation and believes this has produced a set of guidelines which educated the program which was given to the competing designers. This was an open process. He reiterated that this is a schematic design which is open for suggestions and improvements and will be modified. He said two of the teams TPL is considering, are being considered to produce a design plan for the redevelopment of the World Trade Center site. They were chosen because their design was responsive to the expressed needs of the community there. He is sure that the Council will regulate safety on the park.

**Nelson Denman** spoke in support of the Resolution, and thanked Mr. Drypolcher for reaching out to the community. He hopes that outreach will continue so the park will become a model for permaculture and ecological design.

### **The Public Hearing was closed**

MOTION: It was moved by Councilor Bushee, seconded by Councilor Chavez, that the Resolution be approved in affirming the Governing Body's support for the TPL in its efforts to facilitate the planning, design and development of a new park and new plaza on the Santa Fe Railyard, approving the preliminary conceptual plan for the park and plaza and affirming support for TPL's efforts in obtaining funding from the federal government.

DISCUSSION: Councilor Bushee said we will be hearing more on the project in greater detail and doesn't want to get too deep into the design. She is very happy about the concept of water harvesting and the emphasis on the Railroad and its presence. She hopes that there will be some sort of friends of the Railyard park formed by people who understand permaculture concepts and the maintenance. She doesn't want a lot of green grass at the park. She is happy about the Bosque and what that will do for the Acequia Madre. It is a very nice overall concept. She thanked Brian and TPL and remarked that TPL has a monumental task ahead of it in raising funds. She hopes that this Governing Body and future governing bodies can help in seeing that this continues to move forward. She hopes there is lots of activity in the park and use by the public. Chair Heldmeyer clarified that runoff from Cerrillos Road does not go into the Acequia Madre.

Councilor Pfeffer has expressed concern about how this park, with so much greenery, could be supported in terms of water. He said the water budget gives preference, as an existing use, to our public spaces. During last summer's drought, the parks suffered a great deal. He said expending our public water on this effort is a good thing for the City to be doing.

Councilor Pfeffer quoted from page 3 of the FIR, "(2).. Explain any effect on federal appropriations or other local, state and federal matching funds. Should federal or state funds be appropriated matching funds may be requested..." Councilor Pfeffer asked what it would cost the City, in terms of matching funds, to develop all of the public spaces. Mr. Drypolcher said there is a proposed budget for the actual design and construction of just more than \$6 million. He said it hoped to raise those funds from many different sources, noting that federal transportation funds being sought require a 20% match, for example, which would require a local match of about \$1.2 million. He is hoping that between City, private and state sources the match can be obtained. He said there will be points along the way where the City will need to contribute funds to help make the public spaces a reality.

Councilor Pfeffer asked if the \$6.2 million includes a grade separation at St. Francis and at the Railroad tracks. Mr. Drypolcher said this is correct. Councilor Pfeffer would like to see pedestrians and bicycles go over St. Francis and over the Railyard tracks rather than beneath. He

thinks that would be money well spent. That would add liveliness and safety in two locations. He would like to see traffic go underneath.

Mr. Drypolcher said the City has identified \$75,000 to do a feasibility study for that crossing, including ADA issues. Councilor Bushee said this includes the St. Francis intersection at Alameda.

Councilor Chavez said all of the park and plaza development hinges on new landscape designs or permaculture designs and such. He asked how much of this design will depend on precipitation. If we don't have rain then we won't catch water. Mr. Drypolcher said it will rain again. He said as we go forward we will look at what we can do in terms of plantings in year one which could be expected to survive. He said it is hoped that the park can evolve over time as a community space. He said there will be experimentation with regard to plantings to see what survives and with water harvesting to see what is successful. He said this will be an evolutionary trial process.

Councilor Chavez asked about the water harvesting, and if these are surface retention ponds or if some are buried. Mr. Drypolcher said there will be a constructed aquifer which will be an underground, porously filled, collection pond. He said some of the transmission of water from North Paseo de Peralta to the park can be done in underground pipes. He said some of the options propose to use some of the old storage distribution systems that were part of the Railroad operations and freight distribution. There would be some surface tanks on the park, surface tanks in the plaza area, and underground components as well.

Councilor Chavez said he would like to focus on an up-front water budget for City parks. He believes it was a mistake to stop watering the parks. He wants an allotment of water for the parks at the front end of the budget. He said we need to know the demand on the City system to get this plan implemented. He believes we will need to supplement what is harvested, and we need to know the needs by phases.

Councilor Bushee asked when any construction and planting would be done within the phases. Mr. Drypolcher said given the fundraising process, the groundbreaking is at least two years away. He said if there is incremental funding available, a children's play area can be built and trees can be planted. Or, perhaps donation is made to build restrooms. We can look for these incremental opportunities and not waiting for everything to happen at one time.

Councilor Bushee suggested that Mr. Drypolcher explore the possibility of using effluent.

Councilor Bushee hopes there will be connectivity with whatever is designed on the Baca Street portion. Councilor Bushee said if we can meet the financial needs of the park, we will be able to meet the water needs.

Chair Heldmeyer agrees with Councilor Chavez because the City will be assuming responsibility for maintenance of the park. She hopes in the forefront of the designers mind is that the poor beleaguered City will have to take over maintenance. Mr. Drypolcher said he has been meeting



with Public Works and Richard Fiedler and these interactions will increase as the design moves forward. He said we can make sure these things fit. They are trying to design a city park that is survivable without city water, although he can't promise the park will never use city water.

Chair Heldmeyer said it has been emphasized that this is a conceptual plan, and that we shouldn't get too bogged down in details. She asked what things will absolutely stay – what are the unchangeable parts of the concept. Mr. Drypolcher said the themes should not change. He said design features and details can be changed, although he hopes many of those live on. He said we do need to be talking about design details without getting bogged down. We need this conversation.

Chair Heldmeyer is interested in the middle process. She wants to be assured that if there is something that is liked by a lot of people that it is kept in, and if it's not like by a lot of people that it comes out of the plan. She wants this to remain a truly public process.

Mr. Drypolcher said ultimately this is a public works project on a City-owned piece of property and subject to the democratic process of the City government and appropriately so. The Governing Body makes the ultimate decision. Councilor Heldmeyer wants to be assured that there will be public input before things are "set in stone." Mr. Drypolcher said this is the design process and there will be an open house, public forum which will be well advertised in advance. Chair Heldmeyer believes this part is more important than the formal City review. This is where the public will have the greatest input. Mr. Drypolcher agrees.

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

1. **CONSIDERATION OF RESOLUTION APPROVING THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PLAN AND SUBMITTING AN APPLICATION FOR A PERMIT FROM THE U.S. ENVIRONMENT PROTECTION AGENCY. (COUNCILORS CHAVEZ, HELDMEYER, BUSHEE, COSS, PFEFFER AND ROBERTSON LOPEZ) (MARIAN SHIRIN)**

Memorandum dated January 17, 2003, for Request to Publish January 29, 2003, with attachments, to the Mayor and City Council members, from Marian Shirin, Senior Planner, is incorporated herewith to these minutes as Exhibit "6."

Proposed Amendments to the Resolution, submitted by Councilor Miguel Chavez, are incorporated herewith to these minutes as Exhibit "6(A)."

Draft Summary of the Storm Water Management Plan meant to replace the original Storm Water Management Plan prepared by Marian Shirin, is incorporated herewith to these

minutes as Exhibit “6(B).”

Section 4, Recommended Best Management Practices, dated January 22, 2003, is incorporated herewith to these minutes as Exhibit “6(C).”

Synopsis of Best Management Practices/Costs, dated January 29, 2003, is incorporated herewith to these minutes as Exhibit “6(D).”

Ms. Shirin said the National Pollution Discharge Elimination System Plan will go to the Council on Wednesday. It is being brought back to this Committee primarily for consideration of consideration of proposed amendments.

Ms. Shirin said the first amendment is proposed by the Finance Committee, and subsequently sponsors have asked for other amendments. Ms. Shirin explained the amendments as follows:

1. Amendment #1, recommended by the Finance Committee, replaces the entire plan which was advertised with the plan that was formulated by the Public Utilities Department at the direction of the City Manager as a response to the “sticker shock” of the proposed Best Management Practices and those costs. This would also delete all of the supporting documentation around the plan.
1. Amendment #2 replaces only Section 4 of the Plan which is the cost section.
1. Amendment #3 keeps the original plan as it exists, but deletes \$20 million for the Sludge Composting Facility, thereby reducing the costs over 5 years of the entire Best Management Practices under the six minimum control measures to \$11.7 million.
1. Amendment #4 is a “potpourri” of deleting items that she was asked to delete, and which would reduce the total cost over 5 years to approximately \$9 million.
1. Amendment #5 provides that the State Highway Department should contribute its fair share of money and drainage improvements to treat stormwater from all of its highways within the Santa Fe City limits. She doesn’t know the cost impacts of this amendment.

Ms. Shirin said other amendments could be brought forward Wednesday night when this is considered by the Council.

**Paige Grant**, Executive Director of the Santa Fe Watershed Association, and she has been working with Ms. Shirin on this effort for about two years. She spoke against “gutting” the

package which has been put together with a great deal of thought. She said the genius of the original plan is that it pieces together, with very careful consideration of the various sub-drainages of the Santa Fe Watershed, the kinds of projects that will be needed to maximize the capture and infiltration of the precipitation in Santa Fe for Santa Fe. She said the Feds are focused on cleaning up runoff which can be done. However, we are thinking in terms of infiltration, recharge of groundwater and a package of things which does the City a great deal of good under current drought conditions.

Ms. Grant understands the City's concerns about funding. She said the Santa Fe Watershed Association has been awarded a \$300,000 wetlands grant for a project at the San Ysidro Crossing in Agua Fria. The Watershed Association is now working with the City and Regenesis on the final negotiations of a work plan which will be about \$175,000 for stormwater management on City parks with a lot of outreach in elementary schools. The City was also involved in the Los Pinos project which brought 319 funding to stormwater management. The Association, with TPL, the City and Acequia Madre has submitted a proposal to EPA which is being considered and we are waiting to see if there will be funding to do a project on the Railyard area and at Frenchy's.

Ms. Grant said there is also an opportunity for Federal appropriations. The City was successful in funding the Forest Service to carry out the treatments in the upper watershed – \$400,000 in FY 2002 and \$1.5 million in FY 2003.

Ms. Grant said it is estimated that \$6.8 million could be generated over a five-year period through a stormwater surcharge on the water bills of \$3 per household.

Ms. Grant said the \$20 million for sludge management could be looked at as a separate issue to do the changes that need to be made at the Wastewater Treatment Plant through a surcharge on customer billings, and state and federal appropriations.

Councilor Chavez said over the past two weeks this issue has become frustrating because of the amount of money that is needed. He said the stormwater fee would have to be authorized under a separate ordinance. He senses some resistance to the stormwater fee, but this is something we need to explore.

Councilor Chavez said he is hearing from other Councilors and staff that we really need to think about this issue, and to reduce the cost from \$32 million to \$1 million won't resolve the problem. We need to find middle ground between the \$32 million and \$1 million. He said these amendments have arisen out of that frustration.

Councilor Chavez said the Finance Committee made its recommendations based on input from the City Manager that \$32 million was too much, but he isn't comfortable with that

recommendation. He said that was just a recommendation and asked if we are bound to that recommendation. Chair Heldmeyer said we are not.

Ms. Shirin said the ordinance adopting a rate structure would come to the Committee in March and in April.

MOTION: It was moved by Councilor Chavez, seconded by Councilor Bushee, that the request be approved with the inclusion of Amendment #4.

DISCUSSION: Chair Heldmeyer asked Mr. Gee the cost of a monthly surcharge. Mr. Gee said it would be about \$4 per month to each residential customer. The fee is increased for commercial customers based on the size of the meter. There would be a tiered rate for commercial customers with the largest customer paying about \$320 per month.

Chair Heldmeyer pointed out that it took Columbia, South Carolina five years to get the political will to impose an additional surcharge of \$5.

Councilor Chavez said Ms. Grant is correct in saying this is a Federal mandate. Chair Heldmeyer pointed out that all of the cities are now having to face this unfunded federal mandate and all of those will be looking at the very programs Paige was talking about. There is no guarantee that Santa Fe will get any funds.

Councilor Bushee asked Costy how the City will deal with sludge composting. Costy said all of the TMDL's will come from the wastewater treatment plant. We need to ensure that the Stormwater Plan does not commit to the Feds that it is a point source. Stormwater should stay as a non-point source, because if it becomes a point source the City will lose some of the flexibility it has at the wastewater treatment plant because of the water quality issue. He will be requesting more funds to enhance the treatment at the wastewater treatment plant because at this rate we won't be able to meet the standards which will be coming down from the federal government.

Councilor Bushee said she was frustrated at the Finance Committee when the City Manager decided we could achieve all of this with \$1 million.

Councilor Bushee asked Costy if he is looking at a rate increase in solid waste to deal with the sludge, nothing he was eliminated from the budget by the City Manager's action. Costy said his suggestion is to increase the fixed rate from \$2.86 per household to \$4.16, because the City is already charging those without sewer lines an abutment fee of \$4 per household. The revenue from these fees would bring the Wastewater Treatment Plant about \$500,000 annually. He said this wouldn't permit much in the way of revenue bonding, however.

Costy asked Ms. Raveling about implementing an additional 1/4 or 1/8 GRT, and take part of the funds which would be generated to use for revenue bonds for the sludge management

program. Councilor Bushee asked about state or federal funds to pay for a portion. Costy said that would be great as long as there are no “balls and chains” attached, as is usual when receiving money from the state or federal government.

FRIENDLY AMENDMENT: Councilor Pfeffer asked the maker to include Amendment #5 in the motion. **The amendment was friendly to the maker and second.**

DISCUSSION: Councilor Pfeffer asked if EPA will accept this “skeleton” plan. He doesn’t want to submit something that the EPA is going to reject.

Costy just received a copy of the Las Cruces Stormwater Management Plan which is about 15 pages, and the City’s is 22 pages – so Las Cruces is doing less. Costy said no matter what is sent to EPA, the City must live with whatever is accepted by EPA.

FRIENDLY AMENDMENT: Councilor Bushee would like to reinstate funding for Arroyo Mascaras/River Project in Amendment #4. **The motion was friendly to the maker and second.**

DISCUSSION: Chair Heldmeyer said the City has to submit something to EPA by March 10<sup>th</sup>, which will either be approved or not approved by EPA, and, can be changed if not approved. She stressed that the bigger trouble would be if we send them something which they approve and we don’t do those things. She said the issue is how to fund any of this. She said the City has to be able to fund whatever we send to EPA one way or another. We should limit what we send to the Feds. However, we should begin to deal with those other things with input from other Departments and direction from the City Manager.

Councilor Bushee asked what the County is required to do in this regard. Ms. Shirin said the County is required to do something similar and we were going to do a joint permit. However, the County hadn’t done much and their permit would be much simpler because of the nature of what is in the County. Councilor Bushee the County still has problems. Ms. Shirin said the County has to come up with a plan for the delineated watershed area in the County, and that area was delineated by the Feds.

Councilor Bushee commented that some of the restoration projects might qualify for funding under the joint City/County gross receipts tax which was passed.

Ms. Shirin said the State has asked the City to include all of the information around the best management practices in the plan. Costy said we should do without the TMDL’s now because that can be negotiated later on with the State. Ms. Shirin said the State wants statements about TMDL’s be in this plan, noting that this was a specific request by the State.

Councilor Chavez said the County is facing the same deadline as the City. Ms. Shirin asked the County if it wanted to partner with the City. That offer was rejected because the County wasn’t

willing to spend funds to bring the content up to the same as the City's, and because the County area is smaller and has fewer problems and issues relating to stormwater.

Councilor Pfeffer is supportive of this effort, and said if we don't make a commitment it won't get done. "The sooner we commit, the sooner things will get done. This is another of those impossible things we should be doing."

VOTE: There being no dissenting or abstaining votes, the motion carried unanimously.

Ms. Shirin clarified that the motion was to approve the Resolution and Plan as previously adopted, with Amendment #3 and Amendment #4 as amended to reinstate Arroyo Mascaras/ River Project at \$2 million.

**12. MATTERS FROM THE COMMITTEE**

There were no matters from the Committee or from staff.

**12. NEXT MEETING: MARCH 10, 2003**

**12. ADJOURN**

There being no further business to come before the Committee, and the Committee having completed its agenda, it was moved by Councilor Chavez, seconded by Councilor Pfeffer that the meeting be adjourned. The motion carried unanimously and the meeting was adjourned at 8:15 p.m.

**Karen Heldmeyer, Chair**

**Melessia Helberg, Stenographer**